

REMARKS

The specification has been amended to make editorial changes therein.

The indication that claims 4-9, 11-18, 21-26, and 28-29 include patentable subject matter is acknowledged with thanks. In reliance thereon, claim 22 has been amended into independent form by adding the subject matter of claim 1. Allowance of claims 22-24 is respectfully requested as these claims include subject matter indicated to be allowable.

Claims 1-31 were rejected under §112, second paragraph. All claims have been carefully reviewed, as requested, and amended to conform to U.S. practice. Reconsideration and withdrawal of the rejection are respectfully requested.

Claims 1-3, 10, 19-20, and 31 were rejected as anticipated by HERRIAU 4,403,713. Reconsideration and withdrawal of the rejection are respectfully requested.

HERRIAU discloses a path forming device with two fixed walls 15, 16 and peripheral edge or rim 6 of a rotatable plate 5. Seeds are transported to distribution stations 17 by rotation of the plate 5. Conical member 19 forms part of the inlet to the path and is not disposed within a housing and does not form the path together with the inside of the housing as set forth in amended claim 1. Moreover, the conical member slopes toward the outside wall of the housing, which together with the distributing

member forms the path. Accordingly, amended claim 1 avoids the rejection under §102.

Claims 1, 27, and 30 were rejected as anticipated by REYNOLDS 3,195,485. Subject matter from claim 2 has been added to claim 1, and amended claim 1 and claims 27 and 30 that depend from amended claim 1 avoid this rejection because the subject matter of claim 2 that was added to claim 1 is not disclosed in REYNOLDS. For example, in REYNOLDS the path is not formed about a substantially vertical axis, but is formed at an angle to vertical. Further, the path forming device does not include downwardly sloping surfaces extending from at least one of (a) the inside of said housing and (b) a center of said first distributing member. Reconsideration and withdrawal of the rejection are respectfully requested.

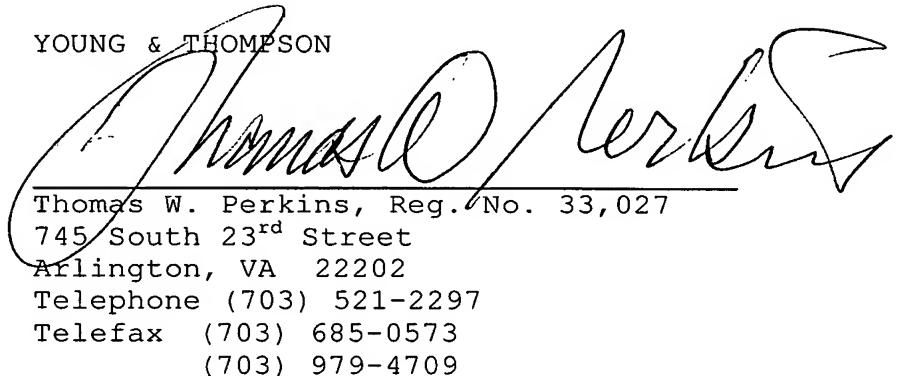
In view of the present amendment and the foregoing remarks, it is believed that the present application has been placed in condition for allowance. Reconsideration and allowance are respectfully requested.

The Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any

overpayment to Deposit Account No. 25-0120 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17.

Respectfully submitted,

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